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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MIA JOHNSTONE,

11 Plaintiff,

12 v.

13 ABERDEEN SCHOOL DISTRICT,

14 Defendant.

CASE NO. C21-5655JLR

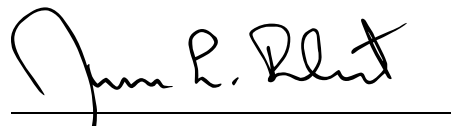
SHOW CAUSE ORDER

15 Plaintiff Mia Johnstone commenced this action against Defendant Aberdeen
16 School District (the “District”) to recover attorney’s fees and costs pursuant to 20 U.S.C.
17 § 1415(i)(3)(B). (*See* Compl. (Dkt. # 1) ¶ 1.5.) On December 10, 2021, the court
18 adopted Ms. Johnstone and the District’s proposed briefing schedule regarding Ms.
19 Johnstone’s motion for attorney’s fees and costs against the District. (*See* 12/10/21 Order
20 (Dkt. # 8); *see also* JSR (Dkt. # 7) at 3.) In line with the parties’ proposed briefing
21 schedule, the court ordered Ms. Johnstone to file her motion for attorney’s fees and costs
22 “no later than January 24, 2022.” (*See* 12/10/21 Order at 2.) As of the date of this order,

1 however, Ms. Johnstone has not filed her motion for attorney's fees and costs. (*See*
2 *generally* Dkt.) She has not made any attempt to explain the missed deadline, nor has she
3 requested relief from the deadline pursuant to Local Rule 7(j). (*See generally id.*); *see*
4 *also* Local Rules W.D. Wash. LCR 7(j).

5 Accordingly, the court ORDERS Ms. Johnstone to show cause within seven (7)
6 days of the date of this order why this action should not be dismissed for failure to
7 comply with the court's scheduling order. *See* Fed. R. Civ. P. 41(b). The court warns
8 that failure to timely respond to this order to show cause may result in the dismissal of
9 this action with prejudice. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642-43 (9th Cir.
10 2002) (discussing factors that the court considers in determining whether to dismiss for
11 failure to prosecute or comply with a court order). The District may, but is not required
12 to, respond to this order within the same timeframe. Any response filed by any party to
13 this order shall be limited to five pages.

14 Dated this 17th day of February, 2022.

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17 JAMES L. ROBART
18 United States District Judge
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